Ok To Enter S.A 12/15/2009

Appl. No. 10/593,887 312 Amdt. Dated December 9, 2009

312 Amat. Dated December 9, 2009

Response to Noticed of Allowability of September 21, 2009

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

(Previously presented) A method of providing a malignancy classification for a region of lung tissue, the method comprising:

setting time points T_1 and T_2 measured from a time point T_0 at or near an injection of a contrast agent, T_1 representing a wash-in time point for malignant lung tissue at which a first concentration value of the injected contrast agent is substantially equal to or near a peak for injected contrast agent concentration for the malignant lung tissue.

wherein at T₂ a second concentration value of the injected contrast agent for the malignant lung tissue is less than or substantially equal to the first concentration value at T₁, and a third concentration value of the injected contrast agent for nonmalignant lung tissue at T₁ is less than or substantially equal to a fourth concentration value of the injected contrast agent concentration for the non-malignant lung tissue at T₂:

wherein the setting of the time points T_1 and T_2 is determined from degree of changes in concentration values in the region of the sung tissue between tine points T_1 and T_2 satisfying a preselected condition based on a maximum intensity predicated on microvascular permeability and extracellular volume of the region of lung tissue;

obtaining a first sample concentration value of the contrast agent for the region of lung tissue at T₁ and a second sample concentration value of the contrast agent for the region of lung tissue at T2;

determining a malignancy classification for the region of lung tissue by comparing the obtained sample concentration values with a predetermined malignancy profile; and

312 Amdt. Dated December 9, 2009

Response to Noticed of Allowability of September 21, 2009

outputting a visual representation of the malignancy classification of the region of lung tissue.

- (Original) The method of claim 1, wherein the second concentration value is greater than the fourth concentration value.
- 3. (Original) The method of claim 1, wherein said determining the malignancy classification comprises judging that the region of lung tissue contains malignancy when the first obtained sample concentration value is greater than the second obtained sample concentration value.
- 4. (Original) The method of claim 1, wherein said determining the malignancy classification comprises judging that the region of lung tissue contains malignancy when the first obtained sample concentration value is substantially equal to the second obtained sample concentration value, and the first obtained sample concentration value is higher than a predetermined first threshold concentration value.
- 5. (Original) The method of claim 1, wherein said determining the malignancy classification comprises judging that the region of lung tissue contains no malignancy when the first obtained sample concentration value is less than the second obtained sample concentration value.
- 6. (Original) The method of claim 1, wherein said determining the malignancy classification comprises judging that the region of lung tissue contains no malignancy when the first obtained sample concentration value is substantially equal to the second obtained sample concentration value, and the first obtained sample concentration value is less than a predetermined second threshold concentration value.
- 7. (Original) The method of claim 1, wherein the setting of the time points T_i and T_2 comprises:

calculating concentration values of the injected contrast agent at initial time points T_1 and T_2 ;

finding a maximum intensity for a calibration map comprising a grid with axes K and v, K representing a microvascular permeability value and v

representing an extracellular volume value, and obtaining normalized intensity values of each grid point of the calibration map based on the maximum intensity;

assigning one of multiple categories to each grid point based on a degree of change in concentration values between initial time point T₁ and initial time point T₂:

adjusting the calibration map such that grid points of a first category for grid points with a relatively high degree of change and grid points of a second category for grid points with a relatively low degree of change are approximately equally represented in the calibration map.

- 8. (Original) The method of claim 7, wherein a third category of the multiple categories is assigned to grid points with a degree of change within a predetermined range, the predetermined range being based on a noise level relative to signal strength.
- (Original) The method of claim 8, wherein the predetermined range comprises a range of percent change substantially equal to the noise level relative to signal strength.
- (Original) The method of claim 8, wherein the degree of change falling within the predetermined range is plus or minus 10%.
- 11. (Original) The method of claim 7, wherein said assigning of the one of the multiple categories comprises at least one of coloring and shading the grid point.
- 12. (Original) The method of claim 7, wherein T_1 and T_2 are set such that the first classification is assigned to approximately 75% of grid points representing malignant tissue.
- 13. (Original) The method of claim 1, wherein the concentration values of the contrast agent are measured by CT.
- (Original) The method of claim 1, wherein the visual representation of the malignancy classification is color-coded image data.
- (Original) The method of claim 1, wherein the visual representation is a voxel representation.
- (Original) The method of claim 1, wherein the region of lung tissue is evaluated based on the spatial distribution of malignant tissue in the visual

312 Amdt. Dated December 9, 2009

Response to Noticed of Allowability of September 21, 2009

representation.

17. (Original) The method of claim 1, wherein registration is used to correct

for shifting of the region of tissue in obtaining the concentration values.

18. (Original) The method of claim 1, wherein said outputting of the visual

representation comprises smoothing based on surrounding pixels.

 (Previously presented) A computer-readable medium incorporating a program of instructions for providing a malignancy classification for a region of

lung tissue, the program of instructions comprising:

instructions for setting time points T_1 and T_2 measured from a time point T_0 at

or near an injection of a contrast agent, T₁ representing a wash-in time point for malignant lung tissue at which a first concentration value of the injected contrast agent

is substantially equal to or near a peak for injected contrast agent concentration for

the malignant lung tissue,

wherein at T2 a second concentration value of the injected contrast agent for

the malignant lung tissue is less than or substantially equal to the first concentration value at T₁, and a third concentration value of the injected contrast agent for non-

malignant lung tissue at T₁ is less than or substantially equal to a fourth concentration

value of the injected contrast agent concentration for the non-malignant lung tissue at

 T_2 ;

wherein the setting of the time points T_1 and T_2 is determined from degree of

changes in concentration values in the region of the lung tissue between time points

 $T_{1} \mbox{ and } T_{2} \mbox{ satisfying a preselected condition based on a maximum intensity predicated}$

on microvascular permeability and extracellular volume of the region of lung tissue;

instructions for obtaining a first sample concentration value of the contrast agent

for the region of lung tissue at T_i and a second concentration value of the contrast agent

for the region of lung tissue at T2;

instructions for determining a malignancy classification for the region of lung

tissue by comparing the obtained sample concentration values with a predetermined

malignancy profile; and

instructions for outputting a visual representation of the malignancy

Page 5 of 9

312 Amdt. Dated December 9, 2009

Response to Noticed of Allowability of September 21, 2009

classification of the region of lung tissue.

 (Original) The medium of claim 19, wherein the second concentration value is greater

than the fourth concentration value.

 (Original) The medium of claim 19, wherein said instructions for determining the

malignancy classification comprise instructions for judging that the region of lung tissue contains malignancy when the first obtained sample concentration value is greater than the second obtained sample concentration value.

- 22. (Original) The medium of claim 19, wherein said instructions for determining the malignancy classification comprise instructions for judging that the region of lung tissue contains malignancy when the first obtained sample concentration value is substantially equal to the second obtained sample concentration value, and the first obtained sample concentration value is higher than a predetermined first threshold concentration value.
- 23. (Original) The medium of claim 19, wherein said instructions for determining the malignancy classification comprise instructions for judging that the region of lung tissue contains no malignancy when the first obtained sample concentration value is less than the second obtained sample concentration value.
- 24. (Original) The medium of claim 19, wherein said instructions for determining the malignancy classification comprise instructions for judging that the region of lung tissue contains no malignancy when the first obtained sample concentration value is substantially equal to the second obtained sample concentration value, and the first obtained sample concentration value is less than a predetermined second threshold concentration value.
- (Original) The medium of claim 19, wherein said instructions for setting of the time

points T₁ and T₂ comprises:

instructions for calculating concentration values of the injected contrast agent at initial time points T_1 and T_2 ;

instructions for finding a maximum intensity for a calibration map comprising a grid with axes K and v, K representing a microvascular permeability value and v representing an extracellular volume value, and obtaining normalized intensity values of each grid point of the calibration map based on the maximum intensity;

instructions for assigning one of multiple categories to each grid point based on a degree of change in concentration values between initial time point T_1 and initial time point T_2 :

instructions for adjusting the calibration map such that grid points of a first category for grid points with a relatively high degree of change and grid points of a second category for grid points with a relatively low degree of change are approximately equally represented in the calibration map.

- (Original) The medium of claim 25, wherein a third category of the multiple categories
- is assigned to grid points with a degree of change within a predetermined range, the predetermined range being based on a noise level relative to signal strength.
- (Original) The medium of claim 26, wherein the predetermined range comprises a range of percent change substantially equal to the noise level relative to signal strength.
- 28. (Original) The medium of claim 26, wherein the degree of change falling within the predetermined range is plus or minus 10%.
- (Original) The medium of claim 25, wherein said assigning of the one of the three categories comprises at least one of coloring and shading the grid point.
- 30. (Original) The medium of claim 25, wherein T_1 and T_2 are set such that the first classification is assigned to approximately 75% of grid points representing malignant tissue.
- (Original) The medium of claim 19, wherein the concentration values of the contrast agent are measured by CT.
- (Original) The medium of claim 19, wherein the visual representation of the malignancy classification is color-coded image data.

312 Amdt. Dated December 9, 2009

Response to Noticed of Allowability of September 21, 2009

- (Original) The medium of claim 19, wherein the visual representation is a voxel representation.
- (Original) The medium of claim 19, wherein the region of lung tissue is evaluated based on the spatial distribution of malignant tissue in the visual representation.
- 35. (Original) The medium of claim 19, wherein registration is used to correct for shifting of the region of tissue in obtaining the concentration values.
- (Original) The medium of claim 19, wherein said outputting of the visual representation comprises smoothing based on surrounding pixels.
- 37. (New) The method of claim 1 wherein the setting of the time points T_0 , T_1 and T_2 is determined from degree of changes in concentration values in the region of the lung tissue between time points T_0 and T_1 and between time points T_1 and T_2 satisfying a preselected condition based on a maximum intensity predicated on microvascular permeability and extracellular volume of the region of lung tissue.
- 38. (New) The computer readable medium of claim 19 wherein the setting of the time points T_0 , T_1 and T_2 is determined from degree of changes in concentration values in the region of the lung tissue between time points T_0 and T_1 and between time points T_1 and T_2 satisfying a preselected condition based on a maximum intensity predicated on microvascular permeability and extracellular volume of the region of lung tissue.